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PATENT  
Attorney Docket No.: 17726A-000420US  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On November 17, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Stephanie J. Whitehurst

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

LEE *et al.*

Application No.: 10/028,726

Filed: December 21, 2001

For: PRODUCTS AND METHODS FOR  
CONTROLLING THE SUPPRESSION  
OF THE NEOPLASTIC PHENOTYPE

Confirmation No. 4418

Examiner: Wilson, Michael C.

Art Unit: 1632

COMMUNICATION UNDER

37 C.F.R. §§ 1.821-1.825

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, that accompanied the Office Action mailed October 16, 2003, Applicants submit that the computer-readable form in the instant application is identical with that filed in Application No. 08/472,760, filed November 27, 1996. In accordance with 37 C.F.R. § 1.821(e), please use the computer-readable form filed in Application No. 08/472,760 as the computer-readable form for the instant application. A paper copy of the last filed Sequence Listing from Application No. 08/472,760 is submitted herewith. The information in the paper copy of the Sequence Listing is identical to that which is in the computer readable form, as required under 37 C.F.R. § 1.821(f).

Appl. No. 10/028,726  
Amdt. dated November 17, 2003  
Reply to Notice to Comply of October 16, 2003

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It is understood that the Patent and Trademark Office will make the necessary changes in application number and filing date for the computer-readable form that will be used for the instant application.

**Remarks/Arguments** begin on page 3 of this paper.

Appl. No. 10/028,726  
Amdt. dated November 17, 2003  
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**REMARKS**

Applicants respectfully assert that the response filed on February 13, 2003 in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed December 13, 2002, was a *bona fide* attempt to fulfill the requirements for submission of a Sequence Listing in compliance with 37 C.F.R. §§ 1.821-1.825.

A copy of the response filed on February 13, 2003, including the Communication and Preliminary Amendment, the Transmittal Form, and a stamped receipt postcard dated February 20, 2003 are enclosed for the convenience of the Examiner. A copy of the Sequence Listing from the parent application which accompanied this response is also enclosed for the convenience of the Examiner. The information contained in the computer readable disk was prepared through the use of the software program "PatentIn" and is identical to that of the paper copy.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
Kevin L. Bastian  
Reg. No. 34,774

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Attachments  
KLB:dmw  
60068204 v1

TO THE U.S. PATENT AND TRADEMARK OFFICE

Please stamp the date of receipt of the following document(s) and return this card to us:

INVENTOR(S):	Wen-Hwa Lee, Huei-Jen Su Huang and Eva Y.H.P. Lee
RE:	PATENT APPLICATION FILED 12/21/01 FOR "PRODUCTS AND METHODS FOR CONTROLLING THE SUPPRESSIN OF THE NEOPLASTIC PHENOTYPE"
TITLE OF DOCUMENT(S):	Communication Under 37 CFR 1.821-1.825 and Preliminary Amendment w/attachment (Fig. 9 marked in red) Sequence Listing paper copy pages 1-10; Formalities Letter, Part 2; Transmittal Form PTO/SB/21.
Application No.	10/028,726
File No.	17726A-000420US
Date Due	13 Feb. 2003
Date Mailed	13 Feb. 2003
Attorney/Secretary	KLB/sjw/mcd

